



EB-2014-0182

Union Gas Limited

Application for leave to construct a natural gas pipelines and ancillary facilities in the Town of Milton and the Town of Oakville and for approval to recover the cost consequences of the development of the proposed Burlington Oakville Project.

PROCEDURAL ORDER NO. 5

August 13, 2015

Union Gas Limited (Union) filed an application with the Ontario Energy Board (OEB) on December 12, 2014 to construct a pipeline and ancillary facilities in the Town of Milton and the Town of Oakville (Burlington Oakville Project or Project) and for approval to recover the cost consequences of the development of the proposed Burlington Oakville Project.

The OEB proceeded with a written hearing. On June 29, 2015, Ontario Greenhouse Vegetable Growers (OGVG) and Canadian Manufacturers and Exporters (CME) submitted evidence prepared by Aggie Cheung on their behalf (OGVG and CME Evidence). The OGVG and CME Evidence addressed technical and economic feasibility of a non-build alternative to the Project. Union, intervenors and OEB staff asked interrogatories on OGVG and CME Evidence and OGVG and CME filed their responses. Union asked the OEB and was allowed to file reply evidence in respect to OGVG and CME Evidence and OGVG and CME's responses to the interrogatories. Union filed its reply evidence on July 31, 2015 (Union's Reply Evidence).

On August 11, 2015 CME requested that the OEB allow written interrogatories on Union's Reply Evidence. In the OEB's view, further discovery on Union's Reply Evidence will contribute to a more complete record on the non-build alternatives to the Project. The OEB will therefore allow all the parties to ask written interrogatories on Union's Reply Evidence.

On August 7, 2015, the Federation of Rental-housing Providers of Ontario (FRPO) filed a late intervenor status and cost award eligibility request. FRPO stated that it was prepared to accept the record as it is at this point of the proceeding. On August 11, 2015 Union objected to FRPO's late intervention request. Union noted that the London Property Management Association (LPMA) who is an intervenor in this proceeding and FRPO both represent rental property owners and have the same interests in this proceeding. Union stated that if the OEB accepts FRPO as an intervenor, it should be required to fully cooperate with the LPMA in the proceeding. Union also submitted that both FRPO and OGVG are represented by Mr. D.R. Quinn and that intervenor costs should be allocated between FRPO and OGVG so that there is no procedural advantage to these parties.

On August 12, 2015 FRPO responded to Union's objection and referred to a 2008 OEB proceeding where the OEB allowed both FRPO and LPMA intervenor status subject to their collaboration to the satisfaction of the OEB.

The OEB will grant FRPO intervenor status provided that it accepts the record as it stands. The OEB will also grant cost award eligibility to FRPO. The OEB notes that its ultimate decision on cost awards will consider the value that all parties, including FRPO, add to the proceeding and contribute to OEB's better understanding of the issues. All intervenors with similar interests, including FRPO and LPMA, are expected to collaborate in this proceeding with respect to their activities and resources.

The OEB considers it necessary to make provision for the following matters related to this proceeding. The OEB may issue further procedural orders from time to time.

THE OEB ORDERS THAT:

1. Anyone that requires information and material related to Union's Reply Evidence, that is in addition to the evidence filed and is relevant to the hearing, shall request it by written interrogatories filed with the OEB and delivered to Union and all other parties by **August 17, 2015**.
2. Responses to the interrogatories on Union's Reply Evidence shall be filed by Union with the OEB and delivered to all other parties by **August 27, 2015**.
3. Union shall file Argument-in-Chief with the OEB and deliver it to all other parties by **September 10, 2015**.

4. Intervenor and OEB staff may file written submissions with the OEB and deliver them to Union and all other parties by **September 25, 2015**.
5. Union may file a written reply submission with the OEB and deliver it to all other parties by **October 13, 2015**.

All filings to the OEB must quote file number **EB-2014-0182**, be made through the OEB's web portal at <https://www.pes.ontarioenergyboard.ca/eservice>, and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format.

Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at www.ontarioenergyboard.ca. If the web portal is not available you may email your document to the BoardSec@ontarioenergyboard.ca. Those who do not have internet access are required to submit all filings on a CD in PDF format, along with two paper copies. Those who do not have computer access are required to file seven paper copies. If you have submitted through the OEB's web portal an e-mail is not required.

All communications should be directed to the attention of the Board Secretary and be received no later than **4:45 p.m.** on the required date.

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DATED at Toronto, August 13, 2015

ONTARIO ENERGY BOARD

Original Signed By

Kirsten Walli
Board Secretary